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Docket No.: 2650/1F918-US1

**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

LOW DOSE IL-2 FOR POTENTIATION OF IMMUNITY

which is described and claimed in:

☒ the attached specification or

☒ the specification in application
Serial No. 09/708,635,
filed September 22, 2000
(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America, on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
U.S.	60/156,097	Sept. 24, 1999

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09708635-09200



ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

COUNTRY APPLICATION NO. DATE OF FILING

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, William F. Dudine, Jr. #20,569, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Beverly B. Goodwin #28,417, Adda C. Gogoris #29,714, Martin E. Goldstein #20,869, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Raina Semionow #39,022

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FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: SMITH FIRST NAME: Kendall MIDDLE NAME: A.

CITY: New York STATE OR FOREIGN COUNTRY: New York COUNTRY OF CITIZENSHIP: U.S.

POST OFFICE ADDRESS: 1075 Park Avenue CITY: New York STATE OR COUNTRY: New York ZIP CODE: 10128

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: *Jennifer A. Smith* DATED: 2/9/01



CERTIFICATE OF MAILING

I hereby certify that this paper is a transmittal letter, every other paper or fee referred to therein, is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents & Trademarks, Washington, DC 20231, on

(Date of Deposit)
Date _____ Name _____

EXPRESS MAIL CERTIFICATE

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Date 2/21/01 Label No. 82706721623Us

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

DB Peck
Name (Print) _____ Signature _____

Docket No.: 2650/1F918-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kendall A. Smith

Serial No.: 09/708,635

Art Unit: Unassigned

Filed: September 22, 2000

Examiner: Unassigned

For: LOW DOSE IL-2 FOR POTENTIATION OF IMMUNITY

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

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ASSERTION OF SMALL ENTITY STATUS

The Applicant Cornell Research Foundation Inc., 20 Thornwood Drive, Ithaca, New York 14850 is a small entity. Therefore, small entity status is entitled to be asserted for the above-captioned application.

Respectfully submitted,

Dated: February 21, 2001

Raina Semionow
Raina Semionow
Reg. No. 39,022
Attorney for Applicant(s)

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